

UNITED STATES DISTRICT COURT  
DISTRICT OF MINNESOTA

United States of America,  Plaintiff,  v.  Dennis E. Hecker,  Defendant.	Case No. 0:10-CR-32 (01) JNE/SRN  <b>MOTION TO COMPEL DISCLOSURE OF EVIDENCE FAVORABLE TO THE DEFENDANT</b>
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Defendant, DENNIS E. HECKER, by and through his attorney, Brian N. Toder, respectfully moves this Court to order immediate disclosure of all favorable or exculpatory evidence and to question the prosecuting attorney, as to the existence and availability of actual or constructive information that may be favorable to the defendant, including information which would tend to negate his guilt or which could tend to impeach a government witness's credibility, and to disclose to defendant all such information. The undersigned brings this motion pursuant to Rule 16, Federal Rules of Criminal Procedure, the Fifth and Sixth Amendments to the United States Constitution, *Brady v. Maryland*, 373 U.S. 83 (1963) and its progeny.

With respect to information that could tend to impeach a government witness's credibility, defendant moves for an order pursuant to *Agurs v. United States*, 427 U.S. 97 (1976) compelling the government to reveal the following:

1. Any and all information relative to any informant or cooperating person utilized in this case including, but not limited to, the number of years said persons have been employed by the government;
2. The compensation paid to said individuals;
3. Any promise, inducements, or plea negotiations offered to said individuals;
4. The record of the criminal history of said individuals including arrests or convictions;
5. The existence and nature of any inducements or overtures made to any co-defendant by the government or its agents in an attempt to enlist his assistance as a witness against defendant; and
6. All statements by the informant to law enforcement agents relating to defendant.

This Motion is based upon the indictment, the records and files in the above-entitled action, the concurrently filed memorandum, and any and all other matters which may be presented prior to or at the time of hearing of said motion.

Respectfully submitted,

Dated: June 2, 2010

**CHESTNUT CAMBRONNE PA**

By /s/ Brian N. Toder

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